



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/461,565	12/14/1999	STEVEN ERICSSON ZENITH	MS-148615.1	3972

47973 7590 05/26/2005

WORKMAN NYDEGGER/MICROSOFT  
1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UT 84111

EXAMINER
----------

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
----------	--------------

2179

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/461,565

Applicant(s)

ZENITH, STEVEN ERICSSON

Examiner

Truc T Chuong

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 6, 8-10, 20, 21, 35, 36, 38, 42, 45 and 46 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-3, 5, 6, 8-10, 20, 21, 35, 36, 38, 42, 45 and 46 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This communication is responsive to an After Final, filed 05/03/05.

Claims 1-3, 5-6, 8-10, 20, 21, 35-36, 38, 42, and 45-46 are pending in this application. Claims 1, 20, and 46 are independent claims. In the communication, claims 1, 5, 10, and 36 are amended, and claims 4, 7, 11-19, 22-34, 37, 39-41, 43-44, and 47 are cancelled. This action is made final.

#### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-6, 8-10, 20-21, 35-36, 38, 42, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trovato et al. (U.S. Patent No. 6,425,012 B1) in view of Busey et al. (U.S. Patent No. 6,785,708 B1).

As to claims 1, 20, and 46, Trovato teaches in a device having a graphical user interface and a display capable of displaying video signals and chat communications in frames on the display in any of a plurality of selectable display modes, each of the display modes defining the relative positions and sizes of the display frames, a method comprising:

receiving a video signal at the device (receiving TV signal and chat communication at the station, e.g., col. 1 line 61-col. 2 line 15, and col. 4 lines 4-17);

Art Unit: 2179

receiving at the device one or more chat communications corresponding to the video signal (e.g., col. 3 line 50-col. 4 line 17);

displaying the video signal and the one or more chat communications on the display in a first display mode (e.g., col. 1 line 61-col. 2 line 15, and col. 4 lines 4-17), such that the video signal is displayed in a first frame that has a corresponding size and position on the display, and such that the one or more chat communications are displayed in a second frame that has a corresponding size and position on the display (Trovato clearly teaches a user interface for displaying a chat and television broadcast as a picture-in-picture image, which either the chat section or the television section can be resized or changed position (minimized, maximized or altered in size to one and another) (e.g., col. 6 lines 55-60));

the video signal displaying an event with a chat section at the same time and mode (e.g., col. 1 line 61-col. 2 line 15, and col. 4 lines 4-17); however,

Trovato does not clearly teach displaying in the second frame a link, such that when the link to the second display mode is selected, the second frame displays the one or more chat communications, while still displaying the video signal in the first frame, and displaying a link to a third display mode within the second frame when the second frame is displayed in the second display mode, and such that when the link to the third display mode is selected, the second frame displays the one or more chat communications, and while still displaying the video signal in the first frame. Busey clearly teaches there are more than one links in the chat section linking to different chat mode or other users (Fixit hyperlink, e.g., col. 7 lines 16-58, and figs. 4B-H). It would have been obvious to a person of ordinary skill in the art at the time of the invention to

Art Unit: 2179

have the multiple chat sections of Busey in the PIP of TV and chat of Trovato in order to chat with more users during the particular event.

As to dependent claim 2, Trovato in view of Busey teaches the video signal comprising a television show (television broadcast event, e.g., col. 1 line 61-col. 2 line 15, and col. 4 lines 4-17).

As to dependent claim 3, Trovato in view of Busey teaches the one or more chat communications comprise text (e.g., col. 2 line 58-col. 3 line 10).

As to dependent claim 5, the modified Trovato teaches the one or more chat communications overlay a portion of the video signal (e.g., Trovato, picture-in-picture display feature, col. 6 lines 55-60).

As to dependent claim 6, Trovato in view of Busey teaches the method of claim 1, further comprising:

changing the video signal to receive a different channel, and in response to the different channel sending a request to a server for different chat communication corresponding to the different channel (changing different channels and events, e.g., col. 6 lines 15-33).

As to dependent claim 8, Trovato in view of Busey teaches the method further comprising displaying an area on the display for sending information relating to the video signal or the one or more chat communications (e.g., col. 1 line 61-col. 2 line 15, and col. 4 lines 4-17).

As to dependent claim 9, Trovato in view of Busey teaches the method further comprising displaying an area on the display for scrolling through the one or more chat communications (Busey, e.g., fig. 4C).

Art Unit: 2179

As to dependent claim 10, Trovato in view of Busey teaches the method further comprising:

selecting the link to the second display mode, wherein the link identified a television markup language document that represents the second display mode (Busey, Fixit hyperlink, e.g., col. 7 lines 16-58, and figs. 4B-H), and

rendering the document to display the video signal and one or more chat communication in accordance with the second display mode (Busey, e.g., figs. 4B-D).

As to dependent claim 21, Trovato in view of Busey teaches the means for switching to the second display mode including actuating a hypertext link displayed in the first display mode (Busey, e.g., Fixit hyperlink, e.g., col. 7 lines 16-58, and figs. 4B-H).

As to dependent claim 42, the modified Trovato teaches a computer-readable medium as recited in claim 26, wherein selection of the link also causes the first frame to display the video signal with at least one of a different first frame size and a different first frame position (Trovato, picture-in-picture display feature, col. 6 lines 55-60).

As to dependent claim 35, Trovato in view of Busey teaches another link also cause the first frame to display the video signal with at least one of a different first frame size and a different first position (picture-in-picture display feature, col. 6 lines 55-60).

As to dependent claim 36, Trovato in view of Busey teaches the link to the second display mode comprises a selectable object displayed within the second frame (Busey, e.g., col. 7 lines 16-58, figs. 4B-H).

As to dependent claims 38 and 45, Trovato in view of Busey teaches method as recited in claim 1, further comprising:

Art Unit: 2179

displaying with the video signal and the one or more chat communications at least one additional link corresponding to at least one additional display mode that is different than the first and second display mode and that when selected causes at least one of the size and position of at least one of the first and second frames to change, and while still displaying the video signal and the chat communications (Busey, e.g., col. 7 lines 16-58, figs. 4B-H, and Trovato, picture-in-picture display feature, col. 6 lines 55-60).

### *Response to Arguments*

3. Applicant's arguments, see Remark, filed 05/03/05, with respect to the rejection(s) of claim(s) 1-3, 5, 6, 8-10, 20, 21, 26-28 and 30-47 under 35 U.S.C. 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made of Trovato et al. (U.S. Patent No. 6,425,012 B1) in view of Trovato et al. (U.S. Patent No. 6,785,708 B1).

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al. (U.S. Patent No. 6,219,042 B1) teaches picture-in-picture, altering in size of one and another display, TV, and web application (cols. 2-6 and figs. 2-3, 6-9).

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2179

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

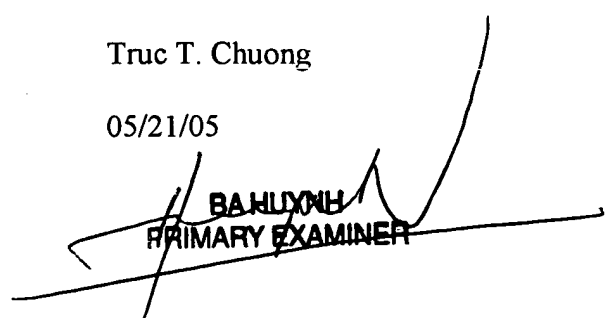
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

05/21/05

  
BA HUYNH  
PRIMARY EXAMINER